

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

Enclosed herewith is a replacement Abstract. In addition new formal drawings with the required headings have been supplied. No new matter whatsoever has been added.

The claims stand rejected under §103 on the combination of US 2002/0102984 (now US 7,245,922) of Furuskar in view US 2002/0089952 (now 7,190,684) of Cao.

By way of background, the present invention relates to a method for dimensioning a CDMA network by taking into account the possibility of dynamically negotiating the radio resources to be allocated to each individual service provided by the network so as to optimize the values of the maximum sustainable load for each cell of the network and hence to obtain a greater accuracy in the planning of the network in terms of number of sites, number of BTS and associated equipment. This is achieved by verifying for each cell whether a determined load factor per cell exceeds a maximum load sustainable by the cell and by dynamically negotiating, at the Radio Resource Management (RRM) level, the radio resources to be allocated to at least one of the services provided by the network

into the cell in such a way that the determined load factor becomes smaller than or equal to the maximum load sustainable by the cell or it is optimized by taking into account the characteristics of the network.

Furuskar relates to a method and apparatus for controlling quality of service of multiple services that share a common resource. Specifically, Furuskar teaches that, in a multiple-service group environment, capacity for the service group mix can be maximized by reallocation of resources from service groups with an excess quality to service groups that are barely achieving their quality requirements. In particular, the capacity can be maximized by using a resource balancing between service groups not meeting their quality requirements and service groups having excessive quality. This means that the radio resources initially allocated to the service groups having excess quality are then moved to the service groups falling to meet their quality requirements.

Cao relates to a method and a related system for packet transmission scheduling, especially on downlink shared channels. In particular, Cao proposes a quality-of-service scheduling of multiple data flows in a CDMA system in which a priority order of protocol data units (PDU) of multiple data flows with regard to a

predefined flow's quality-of-service requirements is determined and serving of the protocol data units (PDU) is performed by dynamically creating transport block sets (TBS) to be transmitted to the physical layer (PHY-layer) with regard to the defined priority order and in dependence on allocated radio resource constraints.

Neither Furuskar nor Cao taken alone or in combination teaches or even suggests a method for dimensioning a CDMA network by taking into account the possibility of dynamically negotiating at the RRM level the radio resources to be allocated to each individual service provided by the network so as to optimize the values of the maximum sustainable load for each cell of the network and hence to obtain greater accuracy in the planning of the network as disclosed by the present invention.

Furuskar only teaches that, in a multiple service group environment, capacity for a service group mix can be maximized by using a *reallocation of resource* (and not a dynamic negotiation of resources) between service groups having different quality requirements while Cao proposes a method for packet transmission scheduling, especially on downlink shared channels, in which a priority order of protocol data units (PDU) of multiple data flows with regard to a predefined flow's quality-of-service requirements is determined and the protocol data units (PDU) are served on the basis of the defined priority order and in dependence on allocated

radio resources constrains. Hence Cao only teaches *determining a priority order of protocol data units (PDU) and using the priority order for serving the protocol data units*. Cao does not teach performing a dynamic negotiation of the radio resources at the RRM level and using it for serving the protocol data units.

In view of the above a person of ordinary skill in the art would not find any motivation to combine the teachings of Furuskar and Cao so as to obtain the method disclosed by the present invention because both Furuskar and Cao teach away by using a dynamic negotiation, at the RRM level, of the radio resources to be allocated to each individual service provided by the network so as to optimize the values of the maximum sustainable load for each cell of the network.

Thus amended claims 1-8 are define under §103 over the combination of Furuskar and Cao.

Allowance of all claims and passage to issue are in order.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this

case, the examiner is invited to call the undersigned to make the necessary corrections.

K.F. Ross P.C.

//Andrew Wilford//

by: Andrew Wilford, 26,597  
Attorney for Applicant

25 March 2008  
5683 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: 718 884-6600  
Fax: 718 601-1099  
Email: [email@kfrpc.com](mailto:email@kfrpc.com)

Enclosure:                    Extension (three months)  
                              Substitute Abstract  
                              Replacement drawing (5 sheets) (23223DWG.pdf)  
                              PTO-1449 (PTO14491.pdf)